

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/092,449

Atty Docket No. Q68880

REMARKS

Claims 1 – 7 were original claims. Claim 3 was previously canceled. Claim 8 was previously added. Claim 9 is herein added. Accordingly, claims 1 – 2, 4 – 8 and 9 are presently pending. Applicant thanks the Examiner for re-opening prosecution and for withdrawing the rejections noted in the Office Action of October 23, 2003.

I. 35 U.S.C. § 103 Rejections

The Examiner newly rejects claims 1, 2, 7 and 8 under 35 U.S.C. § 103 in view of U.S.P. Nos. 6,266,108; 5,886,759; and 4,610,510 to Bao, Mashino, and Funada, respectively. Further, claims 4 – 6 are rejected under 35 U.S.C. § 103 in view of Bao, Mashino, Funada, and U.S.P. No. 5,029,045 to Sanai. These rejections are respectfully traversed as explained below.

In addressing the § 103 rejection in view of Bao, Mashino, and Funada, Applicant incorporates by reference the discussion of the disclosure of the Bao and Mashino references as stated in the Amendment filed August 7, 2003. The Examiner concedes in the instant Office Action that the Bao and Mashino references fail to teach or suggest the last clause of Applicant's claim 1 (*see* the instant Office Action at page 4). The Examiner then alleges that the Funada reference teaches or suggests the last clause of Applicant's independent claim 1. *Id.*

The last clause of claim 1 recites "... wherein an end portion of said upper substrate is protruded more than a corresponding end portion of said lower substrate so that the light source is disposed on said protruded end surface of said upper substrate." Applicant respectfully asserts that the Examiner's above-noted thesis regarding the Funada reference and the last clause of Applicant's claim 1 is erroneous for at least the two reasons expressed below.

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The Funada Reference is Deficient in Teaching or Suggesting all of the Features of Applicant's Claimed Invention

The Funada reference is deficient in teaching or suggesting all of the features of Applicant's independent claim 1, notably the feature of the placement of the light source *on the protruded end* of the upper substrate. Bao and Mashino fail to teach or suggest a light source disposed on an end surface of a *protruded* upper substrate, and Funada perpetuates these deficiencies. Certainly, Funada is silent as to the placement of any light source. Because Funada fails to disclose the placement of a light source, it is impossible for Funada to teach or suggest the placement of a light source on the *protruded end* of an upper substrate. Additionally, Funada's liquid crystal display is cut so that the upper and lower substrates are the same length (*see* Funada's claims 1 and 6, Fig. 6 and Col. 2, lines 65 – 68). The Examiner is therefore respectfully requested to reconsider and withdraw this rejection in view of the deficiencies of the prior art. Applicant also asserts that dependent claims 2 and 4 – 9 are patentable at least by virtue of their dependency upon claim 1.

Additionally as to the rejection of claims 4 – 6 under 35 U.S.C. § 103 in view of Bao, Mashino, Funada, and U.S.P. No. 5,029,045 to Sanai, claims 4 – 6 depend upon claim 1, and therefore incorporate all of the features of claim 1. In brief, the Sanai reference fails to cure the above-noted deficiencies of the Bao, Mashino and Funada references. Sanai merely deals with backlighting a liquid crystal display 11 using incandescent lamps 9 and 10 (*see* Fig. 2 and Col. 2, line 59, to Col. 5, line 10). In brief, Sanai perpetuates the deficiencies of Bao, Mashino and Funada by failing to teach or suggest a light source disposed on the end of a protruded portion of

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an upper substrate. The Examiner is therefore respectfully requested to reconsider and withdraw this rejection in view of the deficiencies of the prior art.

There is No Motivation or Suggestion to Combine the References

The Examiner fails to state the motivation or suggestion to combine Funada with the Bao and Mashino references. Indeed, the Examiner merely iterates why the Funada reference may include embodiments where the upper substrate is of a differing length than the lower substrate. That is, the Examiner states that it “would have been obvious to one having ordinary skill in the art at the time the invention was made for the end portion of the upper substrate to be protruded more than a corresponding end portion of the lower substrate so that sealing material can be sufficiently applied and deposited on the stair formed by both the end of the film substrate 2 (col. 5, lines 10 – 13).”

The Examiner’s above reasoning supplies no basis for why one of ordinary skill in the art would be motivated to combine Funada with Bao and Mashino. The Examiner merely iterates an advantage of one embodiment of the Funada reference. However, Funada’s stated advantage of having a stair on which to deposit sealing material does not pertain to Applicant’s independent claim 1, and especially does not pertain to Applicant’s recital of the end portion of the upper substrate protruding more than the lower substrate *so that the light source is disposed on the protruded end surface of the upper substrate*. The Examiner is therefore respectfully requested to reconsider and withdraw this rejection.

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II. Conclusion

As discussed above, Applicant's invention includes features that are absent from the prior art cited by the Examiner. The Examiner is therefore respectfully requested to reconsider and withdraw the above rejections.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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MOUNTAIN VIEW OFFICE

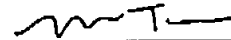
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CUSTOMER NUMBER

Date: November 8, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT UNDER 37 C.F.R. § 1.111 is being facsimile transmitted to the U.S. Patent and Trademark Office this 8th day of November, 2004.



Mariann Tam